



102.170A

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6/24  
ELECTION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
YAOUANC et al  
Serial No.: 09/754,814  
Filed: January 4, 2001  
For: NOVEL...USES THEREOF

:  
: J. Epps  
:  
: Group: 1635  
:

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600 Third Avenue  
New York N.Y. 10016  
June 11, 2002

TECH CENTER 1600/2900

RESPONSE

Asst. Commissioner for Patents  
Washington, D.C. 20231

Sir:

Responsive to the office action of April 26, 2002, Applicants request reconsideration of the application in view of the remarks presented herein.

The Examiner has required an eight-way restriction requirement which includes restriction between the compounds wherein A is phosphorous or A is arsenic and in the definition of R<sub>1</sub> on the basis that the compounds are structurally distinct chemical compounds and are thus deemed to be an independent and distinct invention in the absence of evidence to the contrary.

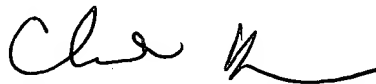
Applicants respectfully traverse the Examiner's restriction requirement as set out in the office action since it is believed that the compounds of groups IV and VIII should be grouped together since they are substantially identical compounds with the sole exception of A being phosphorous or arsenic and it is deemed that

these claims are substantially identical and are properly examined together since they have the same utility. This means that if groups IV and VIII are combined, they are drawn to the compounds of Formula I wherein  $R_1$  is the radical of Formula V differing only in the arsenic and phosphorous group. Therefore, it is requested that the Examiner revise the restriction requirement in this fashion. However, to be fully responsive to the office action, Applicants elect with traverse the compounds of group IV.

Since the first office action was merely a restriction requirement, Applicants request a prompt examination on the merits.

Respectfully submitted,  
Bierman, Muserlian and Lucas

By:



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CAM:ds  
Enclosures